

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 18910 of 2004

Between:

- 1 A. Subadra Devi, W/o. Subbi Reddy,
Mid-Day Meals Agency, Mandal Parishad Primary School, Varadayapalli.
- 2 B. Subbarayudu, S/o. Narsimhulu,
Mid-Day Meals Agency, Mandal Parishad Primary School, Sriramnagar
- 3 K. Yellaiah, S/o. Nadipi Yellaiah,
Mid-Day Meals Agency, Mandal Parishad Primary School, Nandyalampet,
- 4 A. Fayaz Ali, S/o. Mabu Saheb,
Mid-Day Meals Agency, Mandal Parishad Primary School, Nandyalampet

..... PETITIONERS

AND

- 1 The Mandal Revenue Officer, Mydukur, Cuddapah District.
- 2 The Sarpanch, Gram Panchayat, Nandyalampet, Mydukur Mandal, Cuddapah District.
- 3 The HeadMaster, Mandal Parishad Primary School, Nandyalampet, Mydukur Mandal, Cuddapah District.
- 4 C. Ramasubbamma, W/o. Not Known,
R/o. Varadayapalli, Mydukur Mandal, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in terminating the services of the first petitioner and trying to terminate the services of the other petitioners without

following the procedure u/s. 7 of the A.P. School Education (Community Participation) Act, 1998 and in contravention of the Section 7 (4) of the Act on illegal and extraneous grounds as totally illegal, without jurisdiction and in violation of Article 14 and 21 of the Constitution of India and consequently direct the respondents to continue the petitioners as Mid Day meals Agencies under the respective school committee maintained by the Panchayat Education Committee of Nandyalmapet Village, Mydukur Mandal, Cuddapah District.

Counsel for the Petitioners:MR.P.THIRUMALA RAO

Counsel for the Respondent No.2: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

ORDER:

The District Collector is the overall supervising authority of the Mid Day Meal Programme and the Joint Collector is the monitoring authority with regard to the appointment and removal of the implementing agency, as per the guidelines issued by the Government in implementation of the order passed by the Supreme Court.

In view of the same, the petitioners if aggrieved by the order passed by the 1st respondent-Mandal Revenue Officer, have to approach the Joint Collector by way of making a representation and seek appropriate relief. On such representation being filed, the Joint Collector shall consider the same and pass appropriate orders, within three weeks thereafter, in accordance with law.

The writ petition is accordingly disposed of. There shall be no order as to costs.

A.GOPAL REDDY,J

DATED:13-10-2004

GJ

To

- 1 The Mandal Revenue Officer, Mydukur, Cuddapah District.
- 2 The Sarpanch, Gram Panchayat, Nandyalampet, Mydukur Mandal, Cuddapah District.
- 3 The HeadMaster, Mandal Parishad Primary School, Nandyalampet, Mydukur Mandal, Cuddapah District.
4. Two C.Cs. to the Government Pleader for Panchayat Raj and Rural Development, High Court of A.P., Hyderabad.
5. Two C.D. copies.